

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION

CIVIL NO. 3:98CV394

CALVIN R. LUCKEY, and wife PEGGY )  
G. LUCKEY, *et al.*, )

This document pertains to: )

FLOYD J. BOWMAN; WILLIE J. )  
BURT, JR.; JOHN A. NOBLE, III, and )  
wife WENDY ROBIN HASTINGS )  
NOBLE; WALTER D. THOMPSON; )  
RONNER BYERS, and wife )  
FRANCES W. BYERS; RICHARD )  
ALLEN JONES, and wife JUDY ANN )  
FINK JONES; TONY E. ROGERS, and )  
wife PATRICIA LaDONNE C. )  
ROGERS; and DAVID R. TURNER, )

Plaintiffs, )

Vs. )

ORDER

A. W. CHESTERTON, INC.; )  
CLEAVER BROOKS; CROWN CORK )  
& SEAL COMPANY, INC.; FOSTER )  
WHEELER CORPORATION; )  
GEORGIA-PACIFIC CORPORATION; )  
NORTH BROTHERS, INC.; )  
OWENS-ILLINOIS, INC.; RAPID )  
AMERICAN CORPORATION; and )  
D. B. RILEY CORPORATION, f/k/a )  
Riley Stoker Corporation, )

Defendants. )

**THIS MATTER** is before the Court on the joint motion of the specific Plaintiffs captioned above and Defendant Crown Cork & Seal Company, Inc., to dismiss without prejudice their claims against said Defendant.

For the reasons stated in the motion,

**IT IS, THEREFORE, ORDERED** that the joint motion to dismiss is **ALLOWED**, and the claims of Floyd J. Bowman; Willie J. Burt, Jr.; John A. Noble, III, and wife Wendy Robin Hastings Noble; Walter D. Thompson; Ronner Byers, and wife Frances W. Byers; Richard Allen Jones, and wife Judy Ann Fink Jones; and Tony E. Rogers, and wife Patricia LaDonne C. Rogers against the Defendant Crown Cork & Seal Company, Inc., are hereby **DISMISSED WITHOUT PREJUDICE**.

Signed: February 5, 2007



Lacy H. Thornburg  
United States District Judge

